CITY OF SUNNYVALE
ADMINISTRATIVE HEARING

MINUTES
Wednesday, May 26, 2005

2005-0314 Application for a Variance from Sunnyvale Municipal Code (SMC) section 19.34.030 to allow for combined side yard setbacks of 10 feet where 12 feet is required. The property is located at **315 Orchard Avenue** (near Walnut Avenue) in an R-0 (Low Density Residential) Zoning District. (APN: 204-31-020)

In attendance: Gregory Missman, Applicant; Bruce Ostrander, Neighbor; Gerri Caruso, Administrative Hearing Officer; Ryan Kuchenig, Project Planner; Luis Uribe, Support Staff.

Ms. Gerri Caruso, Administrative Hearing Officer, on behalf of the Director of Community Development, explained the format that would be observed during the public hearing.

Ms. Caruso announced the subject application.

Ryan Kuchenig, Project Planner, presented the staff report. The proposed project is a one-story addition at the rear of the home. While the addition meets the minimum setback of 4' for one side, the combined side yard of 10' does not meet the required 12 feet for the R-0 Zoning District; therefore, a Variance is necessary. Staff recommends approval with the Conditions of Approval. Mr. Kuchenig noted that similar additions, in that area, to this proposal have been approved along non conforming set backs.

Ms. Caruso opened the public hearing.

Gregory Missman, Applicant, received and reviewed a copy of the staff report. The applicant plans on re-roofing a portion of the roof (the addition portion only). Mr. Missman stated that he would be able to provide a sample of the roof material.

Bruce Ostrander, Neighbor, was wondering if approved, would this variance open the possibility of other properties applying for similar variances.

Ms. Caruso closed the public hearing.

Ms. Caruso Approved the Variance.

Ms. Caruso stated that the decision is final unless appealed to the Planning Commission with payment of the appeal fee within the 15-day appeal period.

The meeting was adjourned at 2:11p.m.

Minutes approved by:

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Gerri Caruso, Principal Planner